

1/7/07 U.S. PTO

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (only for continuation and divisional applications under 37 CFR 1.53(b))		Client-Matter No.: 66785-017
		<b>Prior Application Info:</b> Examiner: M. Borin Group/Art Unit: 1631 Confirmation No.: 6311
Address to: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 553 036 US DATE OF DEPOSIT: March 30, 2004 I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS ADDRESSED TO: MAIL STOP PATENT APPLICATION, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450	
	<u>Lindsay A. Carral</u> (TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE) <u>Lindsay A. Carral</u> (SIGNATURE OF PERSON MAILING PAPER OR FEE)	

22857 U.S. PTO  
10/813856



This is a request for filing a X continuation    divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/523,790, filed March 13, 2000 (list only immediate prior application).

Title: **SUBSTANCE P-SAPORIN (SP-SAP) CONJUGATES AND METHODS OF USE THEREOF**

Inventor(s)(full name of each inventor): **Douglas A. Lappi and Ronald G. Wiley**

No abandonment of, or termination of proceedings, has occurred in the above-identified prior application.

1. X An application based on the prior application as filed and containing no new matter is enclosed, consisting of:  
1 page application cover sheet  
69 pages of specification (includes claims and abstract)  
12 sheets of drawing(s).
2. X 3 pages of a copy of the oath or declaration as originally filed on July 14, 2000, in prior application (37 CFR 1.63(d)), U.S. serial no. 09/523,790, filed March 13, 2000, is enclosed.
3.    A signed statement DELETING inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b)) is attached.
4. X Nucleotide and/or Amino Acid Sequence Submission is enclosed:  
   computer readable copy of sequence listing  
X paper copy of sequence listing, pages 1 through 3  
X Statement Under Statement Under 37 C.F.R. § 1.821(f) and (g)  
X Request to Use Computer Readable Form of Sequence Listing From Another Application  
   Other:
5. X Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item no. 2 of this form, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
6.    Enter the unentered amendment previously filed on                                  under 37 CFR 1.116 in the prior application.
7. X A preliminary amendment is enclosed.

8. Small entity status:  
a. ☐ A small entity statement is enclosed.  
b. ☒ A small entity statement was filed in prior application serial no. 09/523,790, and such status is still proper and desired.  
c. ☐ is no longer claimed.
9. The prior application is assigned of record to Advanced Targeting Systems, Inc.
10. The power of attorney in the prior application is to Cathryn Campbell.
11. ☐ A copy of a change in power of attorney or authorization of agent as filed in the prior application (37 CFR 1.63(d)(4)) is enclosed.
12. ☒ A return receipt postcard is enclosed.
13. ☐ A Patent Application Bibliographic Data Sheet is enclosed.
14. ☐ Request for Nonpublication and Certification is enclosed.
15. ☐ A copy of the Petition for Extension of Time filed on      (date)      in prior application serial number      is enclosed.
16. ☐ Also enclosed:

The filing fee is calculated below:

					Rate		Fee	
	Number Filed		Number Extra		Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	12 - 20	=	0	x	\$9	\$18	\$0	\$
Independent Claims	1 - 3	=	0	x	\$43	\$86	\$0	\$
Multiple Dependent Claims Presented: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					\$145	\$290	\$0	\$
					BASIC FEE		\$385.00	\$770
					TOTAL FEE		\$385.00	\$

17. ☒ Please charge my Deposit Account No. **502624** in the amount of **\$385.00**. A duplicate copy of this sheet is enclosed.
18. ☐ The filing fee is not enclosed. Do not charge our deposit account.
19. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Inventor(s): Lappi and Wiley  
Serial No.: Unknown  
Filed: Herewith  
Page 3

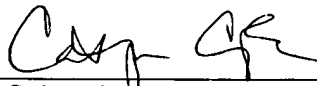
Address all future communications to:

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McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive, Suite 700  
San Diego, California 92122  
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Respectfully submitted,

March 30, 2004

Date



Cathryn Campbell  
Registration No. 31,815

☐ Inventor(s)      ☒ Attorney or agent of record

☐ Assignee of  
complete  
interest      ☐ Filed under Sec. 1.34(a)

McDERMOTT, WILL & EMERY  
4370 La Jolla Village Drive  
Suite 700  
San Diego, California 92122

USPTO CUSTOMER NO: 41552

**Document:** 3 pages of a copy of the oath or declaration as originally filed on July 14, 2000, in prior application (37 CFR 1.63(d)), U.S. serial no. 09/523,790, filed March 13, 2000.

**Attorney Client-Matter No.:** 66785-017  
**Serial No.:** Unknown

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

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By: Lindsay A. Carroll  
Lindsay A. Carroll  
Date of Signature: March 30, 2004

PATENT  
Client Matter No.: 66785-017

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10/813856  
033004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Sir:

In re application of: Lappi and Wiley

) Confirmation No.: Unknown

Serial No.: Unknown

) Art Unit No.: Unknown

) Examiner: Not Yet Assigned

Filed: Herewith

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
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For: SUBSTANCES P-SAPORIN (SP-SAP)  
CONJUGATES AND METHODS OF USE  
THEREOF

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ALEXANDRIA, VA 22313-1450

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

*Lindsay A. Carroll*

(TYPED OR PRINTED NAME OR PERSON MAILING  
PAPER OR FEE)

*Lindsay A. Carroll*

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

**STATEMENT UNDER 37 C.F.R. § 1.821 (f) and (g)**

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR § 1.821 (c) and (e), respectively, are the same. The paper copy submitted herewith is identical in content to the computer readable copy previously submitted in the prior application, U.S. Serial No. 09/523,790, filed on March 13, 2000.